

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**CAPSTONE ASSOCIATED
SERVICES, LTD., et al.,
Plaintiffs,**

vs.

**GARY McNELLEY, et al.,
Defendants**

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CIVIL ACTION NO.: 4:14-cv-00768

JOINT MOTION TO DISMISS WITH PREJUDICE ALL CLAIMS BY ALL PARTIES

TO THE HONORABLE JUDGE EWING WERLIEN:

COMES NOW, Capstone Associated Services, Ltd., together with its wholly owned subsidiary, Capstone Insurance Management (Anguilla), Ltd. (a/k/a Capstone Insurance Management, Ltd.) (collectively, "Capstone"), PoolRe Insurance Corp., and The Feldman Law Firm LLP and its lawyers (the "Firm") (collectively, the "Plaintiffs"), joined by Defendants Market Health, Inc., Gary McNelley, David Rivero, MH Export Corp., Solution Casualty Corp., and Nutrition Casualty Corp., Bowtrol Corporation, Card Mutual Inc., Daily Info Solutions, Inc., Database Management, LLC, Dermology Inc., E-Affiliate, Inc., GSCM Ventures, Inc., Park Place Strategies, Inc., Provillus Corporation, Revitol Corporation; Wyoming Licensing Company, LLC, MC Trust 2011 Irrevocable Trust, Gregg McNelley, Trustee; and David H. Rivero 2011 Irrevocable Trust, Daniel A. Rivero, Trustee (collectively, the "Defendants") (collectively, "Plaintiffs" and the "Defendants" are referred to as the "Parties") who file this Joint Motion to Dismiss with Prejudice All Claims by All Parties, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

Plaintiffs and Defendants have entered into a confidential settlement agreement and no longer wish to prosecute any of their claims in this lawsuit. Accordingly, the Parties request an order of dismissal with prejudice from this Court pursuant to Federal Rule of Civil Procedure 41(a)(2), forever dismissing all claims brought by the Parties in this case, with all costs and attorney's fees to be taxed and paid against the Party incurring same.

The Parties also request that the Court express in its order that it retains continuing jurisdiction to enforce the terms of the Parties' confidential settlement agreement.

Respectfully submitted,

By: /s/ Joseph F. Greenberg by permission

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been sent to all known counsel of record and/or parties of record by way of the CM/ECF system on the January 27, 2015.

/s/ William R. Moye

William R. Moye